

Booker T. Washington Center

Board of Director's Final Decision [Resignation of James Sherrod, Executive Director]

September 16, 2002 - 3:00 p.m.

Dear James:

James, we wanted to have this final meeting with you today to tell you the terms of the severance package the Board is willing to offer you, and to make sure you understand why it is we have decided to take this direction.

We have refrained from commenting publicly on this situation because we truly believe that this is a private personnel matter. It is not something that needs to be addressed in the newspaper, and we prefer that it not be.

We believe that you understand our concerns already, but in case you do not, you should be aware that our decision was based on what we see as a lack of leadership on your part. While you were not personally involved in the Brinna Hughes matter, you were responsible for creating an environment in which such an incident could occur.

During our investigation of this incident, we found that, despite the fact that three employees were written up for violating safety policies and procedures, no such policies in fact exist. We found that there were no guidelines in place for employee responsibility and accountability on field trips like the one on August 6, 2002. These policies are your responsibility, plain and simple. As executive director, you are the person charged with setting the ground rules and establishing minimum acceptable levels of conduct and performance. You did not do that here.

We also found your personal response to the situation to be unsatisfactory. The investigation that should have been conducted by you immediately upon learning of the situation actually had to be initiated by me. When we first spoke, the situation was reported as a minor incident, and you did not seem to take it seriously. In fact, you had not even contacted the child's family and did not even know how to get in touch with them at that point in time.

Without belaboring the point, this is all unacceptable. Your conduct before the incident, and your reaction to it, was not that of a leader. Because of this, we strongly believe that a change is necessary.

As I said, I believe you understood all of this already. Your resignation has been submitted and accepted, and that could be the end of it. In fairness to you, though, we thought it appropriate to offer you a severance package.

Keep in mind, we have no formal policy or program on severance here, and there is no legal requirement that we offer you one. However, in exchange for your execution of a release agreement—including a confidentiality clause—we are willing to offer you an 8 week severance package, and pay the cost of health care for you and your family for a total of 90 days from your resignation. The terms are spelled out in this agreement. Please take a few minutes to read it over, and let me know if you have any questions.

James, this is our only offer. We are not prepared to negotiate over any of these terms, and if you walk out the door without signing the agreement, the offer is rescinded. If you sign this, there will be no more media stories. We don't want to hear any more about the situation from you, or anyone speaking on your behalf. We will construe anything along those lines as a breach of the agreement and will act accordingly.

Now, that having been said, please take another minute or two to make your decision, and let us know how you intend to proceed